

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA ADOLESCENT
ADDICTION/PERSONAL INJURY
PRODUCTS LIABILITY LITIGATION

MDL No. 3047

CASE NO.: 4:22-md-3047

Honorable Yvonne Gonzalez Rogers

This Document Relates to:

ALL ACTIONS

**[PROPOSED] ORDER GRANTING
MOTION FOR RELIEF FROM
NONDISPOSITIVE PRETRIAL
ORDER OF MAGISTRATE JUDGE**

Before the Court is Plaintiffs’ Motion for Relief from Nondispositive Pretrial Order of Magistrate Judge. Dkt. 303. The Court agrees with Plaintiffs that it would be unduly restrictive and unnecessary under the circumstances presented by this products liability action to require Plaintiffs to disclose the identity of their experts, including their consulting experts, to Defendants before sharing documents designated highly confidential. *See Corley v. Google, Inc.*, No. 2016 WL 3421402, at *3 (N.D. Cal. June 22, 2016); *Johnson v. City and County of San Francisco*, 2011 WL 13377688, at *1–3 (N.D. Cal. Feb. 9, 2011). The Court further notes that the Parties have agreed to deal with source code, which may require a higher degree of protection, via separate order.

1 Accordingly, the Court **STRIKES** Section 7.6 of the Protective Order (Dkt. 290). The
2 Court **ORDERS** Plaintiffs to refile the Protective Order, replacing the struck language with the
3 following:

4 7.6 Documents designated as “HIGHLY CONFIDENTIAL (COMPETITOR)”
5 will be treated in the same manner as documents designated “CONFIDENTIAL,”
6 except that the documents may not be disclosed to the individual Plaintiffs or
7 officers, directors, and employees of the Receiving Party (if an entity), including
8 House Counsel, unless that person otherwise meets the requirements of 7.4(h) or
9 (j).

10 *Alternative: The Court **ORDERS** Plaintiffs to refile the Protective Order, replacing the struck*
11 *language with the following:*

12 7.6 Procedures for Approving or Objecting to Disclosure of “HIGHLY
13 CONFIDENTIAL (COMPETITOR)” Protected Material to Experts. “HIGHLY
14 CONFIDENTIAL (COMPETITOR)” information or items may be disclosed to an
15 Expert without disclosure of the identity of the Expert as long as the Expert is not
16 a current officer, director, or employee of a competitor of a Party or anticipated to
17 become one.

18 **IT IS SO ORDERED.**

19 DATED:

20 _____
21 HON. YVONNE GONZALEZ ROGERS